MAY S & 2004 TE

PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number Application Number 10/781,484 Filing Date TRANSMITTAL February 18, 2004 FORM First Named Inventor Zubok et al. Art Unit Unknown (to be used for all correspondence after initial filing) Examiner Name Not Yet Assigned Attorney Docket Number 532/3X7 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC 1 Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Request for Refund Express Abandonment Request One Sheet of Drawing Return Postcard CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Enclosed is a Preliminary Amendment. Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Matthew B. Dernier, Esq. Individual name Signature Date May 4, 2004 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Matthew B. Dernier, Esq.

Signature

Date May 4, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Attorney Docket No.: 532/3X7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Zubok et al.

Group Art Unit: Unknown

Application No.: 10/781,484

Examiner: Not Yet Assigned

Filed: February 18, 2004

For:

INSTRUMENTATION AND METHODS FOR

USE IN IMPLANTING A CERVICAL DISC

REPLACEMENT DEVICE

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT PURSUANT TO 37 C.F.R. § 1.115

Sir:

Prior to examining the above-identified patent application, please amend the application as follows:

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.Q. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 4, 2004

Signature: _

Print Name: Matthew B. Dernier

IN THE DRAWINGS

Pursuant to 37 C.F.R. § 1.121(d), Applicants respectfully request that the Examiner review and enter the attached drawing sheet containing FIGS. 4a-g. Please note that this drawing sheet does not replace any existing drawing sheet.